

OFFSHORE WIND JOBS AND OPPORTUNITY ACT

DECEMBER 16, 2020.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 3068]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3068) to establish an offshore wind career training grant program, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Offshore Wind Jobs and Opportunity Act”.

SEC. 2. OFFSHORE WIND CAREER TRAINING GRANT PROGRAM.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

“SEC. 33. OFFSHORE WIND CAREER TRAINING GRANT PROGRAM.

“(a) GRANTS AUTHORIZED.—Beginning 360 days after the date of the enactment of this section, the Secretary may award offshore wind career training grants to eligible entities for the purpose of developing, offering, or improving educational or career training programs that provide individuals in such programs skills necessary for employment in the offshore wind industry.

“(b) ALLOCATION OF GRANTS.—

“(1) LIMITATION ON GRANT QUANTITY AND SIZE.—An eligible entity may not be awarded—

“(A) more than one grant under this section for which the eligible entity is the lead applicant; or

“(B) a grant under this section in excess of \$2,500,000.

- “(2) ALLOCATION TO COMMUNITY COLLEGES.—Not less than 25 percent of the total amount awarded under this section for a fiscal year shall be awarded to eligible entities that are community colleges.
- “(c) PARTNERSHIPS.—An eligible entity seeking to receive a grant under this section may partner with one or more of the following:
- “(1) Another eligible entity (including an eligible entity that is a community college).
 - “(2) A State or local government.
 - “(3) A nonprofit organization.
- “(d) USE OF GRANT.—An eligible entity may use a grant awarded under this section for the following activities:
- “(1) Occupational skills training, including curriculum development, on-the-job training, and classroom training.
 - “(2) Safety and health training.
 - “(3) The provision of basic skills, English as a second language, and job readiness training.
 - “(4) Individual referral and tuition assistance for a community college training program or similarly situated training program operated by a nonprofit organization leading to a recognized postsecondary credential (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)).
 - “(5) Internship programs in a field related to offshore wind energy.
 - “(6) Customized training in conjunction with an existing registered apprenticeship program or labor-management partnership.
 - “(7) Incumbent worker and career ladder training and skill upgrading and retraining.
 - “(8) The implementation of transitional jobs strategies.
 - “(9) Curriculum development at the undergraduate and postgraduate levels.
 - “(10) Development and support of offshore wind energy major, minor, or certificate programs.
 - “(11) Such other activities, as determined by the Secretary, to meet the purposes of this section.
- “(e) GRANT PROPOSALS.—
- “(1) SUBMISSION PROCEDURE FOR GRANT PROPOSALS.—An eligible entity seeking to receive a grant under this section shall submit a grant proposal to the Secretary at such time, in such manner, and containing such information as the Secretary may require.
 - “(2) CONTENT OF GRANT PROPOSALS.—A grant proposal submitted to the Secretary under this section shall include a detailed description of—
 - “(A) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that will provide individuals in such program skills necessary for employment in the offshore wind industry;
 - “(B) any previous experience of the eligible entity in providing such educational or career training programs; and
 - “(C) the extent to which such project will meet the educational or career training needs identified under subsection (i).
- “(f) CRITERIA FOR AWARD OF GRANTS.—
- “(1) IN GENERAL.—Subject to appropriations, the Secretary shall award grants under this section based on an evaluation of—
 - “(A) the merits of the grant proposal;
 - “(B) the likely employment opportunities available to individuals who complete the educational or career training program that the eligible entity proposes to develop, offer, or improve;
 - “(C) prior demand for such educational or career training programs in the community served by the eligible entity; and
 - “(D) the availability and capacity of existing educational or career training programs in the community to meet future demand for such programs.
 - “(2) PRIORITY.—Priority in awarding grants under this section shall be given to an eligible entity that—
 - “(A) is—
 - “(i) an institute of higher education that has formed a partnership with a labor organization; or
 - “(ii) a labor organization that has formed a partnership with an institute of higher education;
 - “(B) has entered into a memorandum of understanding with an employer in the offshore wind industry to foster workforce development;
 - “(C) is located in an economically distressed area;

“(D) focuses on individuals who are—

“(i) displaced workers (particularly workers displaced from the offshore oil and gas, onshore fossil fuel, nuclear energy, or fishing industries);

“(ii) veterans, members of the reserve components of the Armed Forces, or former members of such reserve components;

“(iii) unemployed;

“(iv) seeking employment pathways out of poverty and into economic self-sufficiency;

“(v) at-risk youth; or

“(vi) formerly incarcerated, adjudicated, nonviolent offenders; or

“(E) with respect to an eligible entity that is an institution of higher education, has a high percentage or number of low-income or minority students.

“(3) GEOGRAPHIC DISTRIBUTION.—The Secretary shall, to the extent practicable, award grants under this section in a manner that provides for a reasonable geographic distribution, except that the Secretary shall not be required to award grants equally among different regions of the United States.

“(g) MATCHING REQUIREMENTS.—A grant awarded under this section may not be used to satisfy any non-Federal funds matching requirement under any other provision of law.

“(h) GRANTEE DATA COLLECTION.—

“(1) IN GENERAL.—A grantee, with respect to the educational or career training program for which the grantee received a grant under this section, shall collect and report to the Secretary on an annual basis the following:

“(A) The number of participants enrolled in the educational or career training program.

“(B) The number of participants that have completed the educational or career training program.

“(C) The services received by such participants, including a description of training, education, and supportive services.

“(D) The amount spent by the grantee per participant.

“(E) The rate of job placement of participants in the offshore wind industry or related fields.

“(F) The rate of employment retention—

“(i) if the eligible entity is not an institution of higher education, 1 year after completion of the educational or career training program; or

“(ii) if the eligible entity is an institution of higher education, 1 year after completion of the educational or career training program or 1 year after the participant is no longer enrolled in such institution of higher education, whichever is later.

“(2) DISAGGREGATION OF DATA.—The data collected and reported under this subsection shall be disaggregated by—

“(A) race;

“(B) low-income status;

“(C) disability; and

“(D) English language proficiency.

“(3) ASSISTANCE FROM SECRETARY.—The Secretary shall assist grantees in the collection of data under this subsection by making available, where practicable, low-cost means of tracking the labor market outcomes of participants and by providing standardized reporting forms, where appropriate.

“(i) IDENTIFICATION OF EDUCATIONAL AND CAREER TRAINING NEEDS.—Not later than 120 days after the date of the enactment of this section, the Secretary, in consultation with the offshore wind industry, eligible entities, including eligible entities that are community colleges, State and local governments, labor organizations, and nonprofit organizations, shall identify the educational and career training needs of such industry, including needs related to construction and installation, engineering, manufacturing, operation, and maintenance activities relevant to the offshore wind industry.

“(j) GUIDELINES.—Not later than 240 days after the date of the enactment of this section, the Secretary shall—

“(1) promulgate guidelines for the submission of grant proposals under this section, including a list of the educational and career training needs identified under subsection (i); and

“(2) publish and maintain such guidelines on a public website of the Secretary.

“(k) REPORTING REQUIREMENT.—Not later than 18 months after the date of the enactment of this section, and every 2 years thereafter, the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives,

the Committee on Energy and Natural Resources of the Senate, the Committee on Education and Labor of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate on the grant program established by this section. The report shall include a description of the grantees and the activities for which grantees used a grant awarded under this section.

“(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for purposes of this section \$25,000,000 for each of fiscal years 2020 through 2024.

“(m) DEFINITIONS.—In this section:

“(1) COMMUNITY COLLEGE.—The term ‘community college’ has the meaning given the term ‘junior or community college’ in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an entity that is—

“(A) an institution of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

“(B) a labor organization.

“(3) GRANTEE.—The term ‘grantee’ means an eligible entity that has received a grant under this section.

“(4) LEAD APPLICANT.—The term ‘lead applicant’ means the eligible entity that is primarily responsible for the preparation, conduct, and administration of the project for which the grant was awarded.

“(5) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, in consultation with the Secretary of Energy, the Secretary of Education, and the Secretary of Labor.”.

PURPOSE OF THE BILL

The purpose of H.R. 3068 is to establish an offshore wind career training grant program.

BACKGROUND AND NEED FOR LEGISLATION

America’s offshore wind resources are an untapped source of sustainable, carbon-free energy and hold significant potential to power coastal economies and create new jobs. State governments have led the charge to develop a full-fledged industry by setting aggressive renewable energy targets, developing supply-chains, and addressing workforce development needs. The federal government, however, has been doing little to support and expand on these efforts. H.R. 3068 changes this by creating a new federal grant program to help workers develop the skills necessary to enter the offshore wind industry.

While the U.S. offshore wind industry is still in its infancy, wind energy resources off America’s coast represent a significant clean energy and economic development opportunity. The U.S. has an offshore wind technical generation potential of 2,058 gigawatts (GW), which is roughly double the electric generating capacity in the entire country.¹ Despite this, no wind farms are currently operating on the Outer Continental Shelf. The only offshore wind turbines in the United States are in state waters near Block Island, Rhode Island: a 5-turbine, 30 MW wind farm demonstration project that became operational in December 2016.

In September 2016, the Department of Energy (DOE) and the Department of the Interior (DOI) jointly released their most recent national offshore wind strategy. The strategy found that deploying 86 GW of offshore wind energy by 2050, the currently identified market opportunity, would create 160,000 jobs in coastal regions.² A white paper by the Special Initiative on Offshore Wind, an independent institute at the University of Delaware, further found that

¹ U.S. DEP’T OF THE INTERIOR & U.S. DEP’T OF ENERGY, NATIONAL OFFSHORE WIND STRATEGY viii (2016), <https://www.boem.gov/national-offshore-wind-strategy/>.

² *Id.*

by 2030 the American offshore wind industry could have a \$68 billion supply chain.³ From both a climate change perspective and an economic development perspective, the United States cannot afford to let this clean energy resource go under-developed.

Over the last decade, the federal government, primarily through DOE, has made investments in research and taken certain steps to develop an offshore wind industry, such as investing in turbine blade testing facilities, technical data collection, scientific studies of potential impacts on avian and aquatic life, port infrastructure assessments, and advanced technology demonstrations. However, the federal government has not made significant investments in offshore wind job training programs. Other renewable energy technologies have benefitted from workforce training grants for over a decade, particularly in the solar industry. Thanks in part to these investments, there were over 240,000 solar workers in 2019 across the United States, a 159 percent increase over the past decade. Even the Trump administration has continued to award grants for solar energy job training through DOE's Solar Energy Technologies Office. Given the significant economic development and job creation opportunity presented by offshore wind, the federal government needs to make similarly smart, targeted federal investments to support this much-needed clean energy workforce.

Federal investment in offshore wind energy training would help address concerns that there will not be enough trained American workers to realize the full potential of our nation's offshore wind energy resources. As one witness from the offshore wind industry testified at the subcommittee hearing on this legislation, "skilled trade workers, operations and maintenance technicians, and water transportation workers are integral to offshore wind project sites but are in short supply."⁴ Experience from the onshore wind industry shows that companies will look elsewhere if there aren't trained American workers. According to a recent survey by DOE, nearly 25 percent of onshore wind companies have looked for qualified workers outside of the United States because of hiring difficulties.⁵ Foreign-owned offshore wind development companies are likely to rely on foreign workers for offshore wind jobs if we do not adequately train American workers for these jobs.

H.R. 3068 makes unions and institutions of higher education eligible for grants to fund offshore wind job training programs. Unions and higher education institutions are best suited for these grants because they are already well positioned to address workforce training needs and have a long track record of success. The designated eligible entities under this bill will ensure that the grants meet the bill's requirements to serve veterans, low-income areas, displaced workers, unemployed people, at-risk youth, and formerly incarcerated, adjudicated, nonviolent offenders. The legis-

³STEPHANIE A. MCCLELLAN, SPECIAL INITIATIVE ON OFFSHORE WIND, SUPPLY CHAIN CONTRACTING FORECAST FOR U.S. OFFSHORE WIND POWER 6 (2019), available at <https://www.noia.org/wp-content/uploads/2019/05/SIOW-Paper.pdf>.

⁴*Building a 21st Century American Offshore Wind Workforce: Hearing Before the Subcomm. on Energy & Min. Res. of the H. Comm. on Nat. Res.*, 116th Cong. (2019) (not printed), <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=109607> (testimony of Dr. Christopher G. Hart, Head, U.S. Offshore Wind Development—EDF Renewables, Pres. & Managing Dir., Atlantic Shores Offshore Wind, LLC), <https://docs.house.gov/meetings/II/II06/20190611/109607/HHRG-116-II06-Wstate-HartC-20190611.pdf>.

⁵DAVID KEYSER & SUZANNE TEGEN, NAT'L RENEWABLE ENERGY LAB. (NREL), NREL/TP-6A20-73908, THE WIND ENERGY WORKFORCE IN THE UNITED STATES: TRAINING, HIRING, AND FUTURE NEEDS 18 (2019), <https://www.nrel.gov/docs/fy19osti/73908.pdf>.

lation also prioritizes grants for eligible entities that have signed memorandums of understanding with employers in the offshore wind industry; however, for-profit companies are not eligible to directly apply for or receive funding under this legislation. Every single grant awarded by this legislation will be done through a competitive process, and the bill establishes strong reporting requirements to ensure that the money is being spent effectively and achieving the intended goals of developing an American offshore wind workforce.

COMMITTEE ACTION

H.R. 3068 was introduced on June 3, 2019, by Representative Bill Keating (D-MA). The bill was referred to the Committee on Natural Resources, and in addition to the Committee on Education and Labor. Within the Natural Resources Committee, the bill was referred to the Subcommittee on Energy and Mineral Resources. On June 11, 2019, the Subcommittee held a hearing on the bill. On January 15, 2020, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl M. Grijalva (D-AZ) offered an amendment in the nature of a substitute. Representative Garret Graves (R-LA) offered an amendment designated Graves #1. The amendment was withdrawn. Representative Graves offered an amendment designated Graves #2. The amendment was not agreed to by a roll call vote of 14 yeas and 19 nays, as follows:

Date: January 15, 2020

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3068

Amendment: Rep. Graves #2 amendment

Disposition: Not agreed to by a roll call vote of 14 yeas and 19 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO			
5	Mr. Costa, CA		X	
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO		X	
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Garcia, IL		X	
12	Mr. Grijalva, AZ (Chair)		X	
13	Ms. Haaland, NM		X	
14	Mr. Horsford, NV			
15	Mr. Huffman, CA		X	
16	Mr. Levin, CA		X	
17	Mr. Lowenthal, CA		X	
18	Mr. McEachin, VA			
19	Ms. Napolitano, CA		X	
20	Mr. Neguse, CO		X	
21	Mr. Sablan, CNMI	X		
22	Mr. San Nicolas, GU			
23	Mr. Soto, FL		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
26				
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT (Ranking)	X		
2	Ms. Cheney, WY			
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ	X		
9	Mr. Graves, LA	X		
10	Mr. Hern, OK	X		
11	Mr. Hice, GA			
12	Mr. Johnson, LA	X		
13	Mr. Lamborn, CO	X		
14	Mr. McClintock, CA			
15	Mrs. Radewagen, AS			
16	Mr. Webster, FL	X		
17	Mr. Westerman, AR	X		
18	Mr. Wittman, VA	X		
19	Mr. Young, AK			
	TOTALS	14	19	
Total: 43 / Quorum: 14 / Report: 22		YEAS	NAYS	PRESENT

The amendment in the nature of a substitute offered by Chair Grijalva was agreed to by voice vote. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 20 yeas and 13 nays, as follows:

Date: January 15, 2020

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3068

Amendment:

Disposition: Final Passage: H.R. 3068, as amended, was ordered favorably reported to the House of Representatives by a roll call vote of 20 yeas and 13 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD	X		
2	Mr. Cartwright, PA	X		
3	Mr. Case, HI	X		
4	Mr. Clay, MO			
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC	X		
8	Ms. DeGette, CO	X		
9	Mrs. Dingell, MI	X		
10	Mr. Gallego, AZ	X		
11	Mr. Grijalva, AZ (<i>Chair</i>)	X		
12	Mr. Garcia, IL	X		
13	Ms. Haaland, NM	X		
14	Mr. Horsford, NV			
15	Mr. Huffman, CA	X		
16	Mr. Levin, CA	X		
17	Mr. Lowenthal, CA	X		
18	Mr. McEachin, VA			
19	Ms. Napolitano, CA	X		
20	Mr. Neguse, CO	X		
21	Mr. Sablan, CNMI	X		
22	Mr. San Nicolas, GU			
23	Mr. Soto, FL	X		
24	Mr. Tonko, NY	X		
25	Ms. Velázquez, NY			
26				
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT (<i>Ranking</i>)		X	
2	Ms. Cheney, WY			
3	Mr. Cook, CA		X	
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID		X	
6	Mr. Gohmert, TX		X	
7	Ms. González-Colón, PR		X	
8	Mr. Gosar, AZ		X	
9	Mr. Graves, LA		X	
10	Mr. Hern, OK		X	
11	Mr. Hice, GA			
12	Mr. Johnson, LA		X	
13	Mr. Lamborn, CO		X	
14	Mr. McClintock, CA			
15	Mrs. Radewagen, AS			
16	Mr. Webster, FL		X	
17	Mr. Westerman, AR		X	
18	Mr. Wittman, VA		X	
19	Mr. Young, AK			
	TOTALS	20	13	
	Total: 43 / Quorum: 14 / Report: 22	YEAS	NAYS	PRESENT

On July 1, 2020, the House of Representatives passed H.R. 2, the Moving Forward Act, which included the text of H.R. 3068 with minor changes.⁶

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 3068: legislative hearing by the Subcommittee on Energy and Mineral Resources held on June 11, 2019.

SECTION-BY-SECTION ANALYSIS

The bill adds a new Section 33, titled “Offshore Wind Career Training Grant Program,” to the Outer Continental Shelf Lands Act.

Subsection 33(a) authorizes grants for developing, offering, or improving educational or career training programs relevant for employment in the offshore wind industry.

Subsection (b) limits grant awards to no more than \$2.5 million and prohibits an entity from receiving more than one grant for which it is the lead applicant. This subsection also requires that at least one quarter of the awarded grants go to community colleges.

Subsection (c) allows for eligible entities to partner with each other, state and local governments, or nonprofit organizations in applications, allowing grant recipients to work in partnerships on numerous projects, as long as any given recipient is the lead on no more than one grant.

Subsection (d) lists the eligible uses for a grant: occupational training (including curriculum development for occupational training classes, on-the-job training, and classroom training); safety and health training; training in basic skills, English proficiency, and job-readiness; referring students and providing tuition assistance for community college training programs, or other programs leading to an industry-recognized certificate; internships in fields related to offshore wind; training in conjunction with existing registered apprenticeship programs or labor-management partnerships; training, skill upgrading, and retraining of existing workers; implementing transitional job strategies; curriculum development at the undergraduate and post-graduate levels; development of certificate programs and undergraduate major and minor programs for offshore wind; and other activities determined by the Secretary of the Interior (Secretary) to meet the purposes of the grant program.

Subsection (e) requires that eligible entities applying for grants must follow procedures established by the Secretary, and that grant applications shall include detailed descriptions of the specific project for which the grant proposal is submitted, any previous experience by the applicant in providing educational or career training programs, and how the grant application meets the identified educational and career training needs.

Subsection (f) provides the criteria for awarding grants and requires that priority be given to entities in economically distressed areas and those that serve a high percentage of low-income or minority students, or focus on displaced workers, veterans, the unem-

⁶H.R. 2, 116th Cong. tit. IV, subtitle E (as passed by and engrossed in the House, July 1, 2020).

ployed, at-risk youth, and other specified categories. It also prioritizes grants for partnerships between unions and institutions of higher education and eligible entities that have signed memoranda of understanding with offshore wind industry employers for the purpose of workforce development.

Subsection (g) prohibits grant money from being used to satisfy a non-federal matching funds requirement for another program.

Subsection (h) requires grantees to collect performance data on their programs and requires the Secretary to assist grantees in tracking the labor market outcomes of program participants.

Subsection (i) requires the Secretary to identify, within 120 days of enactment, the educational and career training needs most important for the offshore wind industry, in conjunction with the industry, entities eligible for grants, labor organizations, state and local governments, and nonprofit organizations.

Subsection (j) requires the Secretary, within 240 days of enactment, to publish the list of educational and training needs identified under subsection (i) and the guidelines for submitting grant applications.

Subsection (k) requires the Secretary to report to Congress on the grant program within 18 months of enactment, and every two years thereafter.

Subsection (l) authorizes \$25 million for the grant program for each of Fiscal Years 2020 through 2024 (\$125 million total).

Subsection (m) defines key terms in the bill.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 22, 2020.

Hon. RAÚL M. GRIJALVA,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3068, the Offshore Wind Jobs and Opportunity Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kathleen Gramp.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 3068, Offshore Wind Jobs and Opportunity Act			
As ordered reported by the House Committee on Natural Resources on January 15, 2020			
By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	1	116	125
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 3068 would authorize the appropriation of \$25 million for each year from 2020 through 2024 for grants to support training programs for those seeking careers in the offshore wind industry. The Secretary of the Interior could award the grants to intuitions of higher learning and labor organizations for various purposes, including basic and occupational training, retraining, certification programs, and other forms of assistance.

Based on historical spending patterns for similar programs, CBO estimates that implementing H.R. 3068 would cost \$116 million over the 2020–2025 period, and \$9 million after 2025, assuming the appropriation of the authorized amounts. The estimated costs, detailed in Table 1, fall within budget function 300 (natural resources and the environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 3068

	By fiscal year, millions of dollars—						
	2020	2021	2022	2023	2024	2025	2020– 2025
Authorization	25	25	25	25	25	0	125
Estimated Outlays	1	3	21	39	28	24	116

The CBO staff contact for this estimate is Kathleen Gramp. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to establish an offshore wind career training grant program.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

This bill contains no unfunded mandates.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139. The Offshore Wind Career Training Grant Program established by this bill is related and complementary to, but not duplicative of, the following programs identified in the most recent Catalog of Federal Domestic Assistance published pursuant to 31 U.S.C. § 6104: Registered Apprenticeship (CFDA No. 17.201), Trade Adjustment Assistance (CFDA No. 17.245), H–1B Job Training Grants (CFDA No. 17.268), and Apprenticeship USA Grants (CFDA No. 17.285).

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill’s purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics and existing law in which no change is proposed is shown in roman):

OUTER CONTINENTAL SHELF LANDS ACT

* * * * *

SEC. 33. OFFSHORE WIND CAREER TRAINING GRANT PROGRAM.

(a) *GRANTS AUTHORIZED.*—Beginning 360 days after the date of the enactment of this section, the Secretary may award offshore wind career training grants to eligible entities for the purpose of developing, offering, or improving educational or career training programs that provide individuals in such programs skills necessary for employment in the offshore wind industry.

(b) *ALLOCATION OF GRANTS.*—

(1) *LIMITATION ON GRANT QUANTITY AND SIZE.*—An eligible entity may not be awarded—

(A) more than one grant under this section for which the eligible entity is the lead applicant; or

(B) a grant under this section in excess of \$2,500,000.

(2) *ALLOCATION TO COMMUNITY COLLEGES.*—Not less than 25 percent of the total amount awarded under this section for a fiscal year shall be awarded to eligible entities that are community colleges.

(c) *PARTNERSHIPS.*—An eligible entity seeking to receive a grant under this section may partner with one or more of the following:

(1) Another eligible entity (including an eligible entity that is a community college).

(2) A State or local government.

(3) A nonprofit organization.

(d) *USE OF GRANT.*—An eligible entity may use a grant awarded under this section for the following activities:

(1) Occupational skills training, including curriculum development, on-the-job training, and classroom training.

(2) Safety and health training.

(3) The provision of basic skills, English as a second language, and job readiness training.

(4) Individual referral and tuition assistance for a community college training program or similarly situated training program operated by a nonprofit organization leading to a recognized postsecondary credential (as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)).

(5) Internship programs in a field related to offshore wind energy.

(6) Customized training in conjunction with an existing registered apprenticeship program or labor-management partnership.

(7) Incumbent worker and career ladder training and skill upgrading and retraining.

(8) The implementation of transitional jobs strategies.

(9) Curriculum development at the undergraduate and postgraduate levels.

(10) Development and support of offshore wind energy major, minor, or certificate programs.

(11) Such other activities, as determined by the Secretary, to meet the purposes of this section.

(e) *GRANT PROPOSALS.*—

(1) *SUBMISSION PROCEDURE FOR GRANT PROPOSALS.*—An eligible entity seeking to receive a grant under this section shall submit a grant proposal to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) *CONTENT OF GRANT PROPOSALS.*—A grant proposal submitted to the Secretary under this section shall include a detailed description of—

(A) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that will provide individuals in such pro-

gram skills necessary for employment in the offshore wind industry;

(B) any previous experience of the eligible entity in providing such educational or career training programs; and

(C) the extent to which such project will meet the educational or career training needs identified under subsection (i).

(f) CRITERIA FOR AWARD OF GRANTS.—

(1) IN GENERAL.—Subject to appropriations, the Secretary shall award grants under this section based on an evaluation of—

(A) the merits of the grant proposal;

(B) the likely employment opportunities available to individuals who complete the educational or career training program that the eligible entity proposes to develop, offer, or improve;

(C) prior demand for such educational or career training programs in the community served by the eligible entity; and

(D) the availability and capacity of existing educational or career training programs in the community to meet future demand for such programs.

(2) PRIORITY.—Priority in awarding grants under this section shall be given to an eligible entity that—

(A) is—

(i) an institute of higher education that has formed a partnership with a labor organization; or

(ii) a labor organization that has formed a partnership with an institute of higher education;

(B) has entered into a memorandum of understanding with an employer in the offshore wind industry to foster workforce development;

(C) is located in an economically distressed area;

(D) focuses on individuals who are—

(i) displaced workers (particularly workers displaced from the offshore oil and gas, onshore fossil fuel, nuclear energy, or fishing industries);

(ii) veterans, members of the reserve components of the Armed Forces, or former members of such reserve components;

(iii) unemployed;

(iv) seeking employment pathways out of poverty and into economic self-sufficiency;

(v) at-risk youth; or

(vi) formerly incarcerated, adjudicated, nonviolent offenders; or

(E) with respect to an eligible entity that is an institution of higher education, has a high percentage or number of low-income or minority students.

(3) GEOGRAPHIC DISTRIBUTION.—The Secretary shall, to the extent practicable, award grants under this section in a manner that provides for a reasonable geographic distribution, except that the Secretary shall not be required to award grants equally among different regions of the United States.

(g) *MATCHING REQUIREMENTS.*—A grant awarded under this section may not be used to satisfy any non-Federal funds matching requirement under any other provision of law.

(h) *GRANTEE DATA COLLECTION.*—

(1) *IN GENERAL.*—A grantee, with respect to the educational or career training program for which the grantee received a grant under this section, shall collect and report to the Secretary on an annual basis the following:

(A) The number of participants enrolled in the educational or career training program.

(B) The number of participants that have completed the educational or career training program.

(C) The services received by such participants, including a description of training, education, and supportive services.

(D) The amount spent by the grantee per participant.

(E) The rate of job placement of participants in the offshore wind industry or related fields.

(F) The rate of employment retention—

(i) if the eligible entity is not an institution of higher education, 1 year after completion of the educational or career training program; or

(ii) if the eligible entity is an institution of higher education, 1 year after completion of the educational or career training program or 1 year after the participant is no longer enrolled in such institution of higher education, whichever is later.

(2) *DISAGGREGATION OF DATA.*—The data collected and reported under this subsection shall be disaggregated by—

(A) race;

(B) low-income status;

(C) disability; and

(D) English language proficiency.

(3) *ASSISTANCE FROM SECRETARY.*—The Secretary shall assist grantees in the collection of data under this subsection by making available, where practicable, low-cost means of tracking the labor market outcomes of participants and by providing standardized reporting forms, where appropriate.

(i) *IDENTIFICATION OF EDUCATIONAL AND CAREER TRAINING NEEDS.*—Not later than 120 days after the date of the enactment of this section, the Secretary, in consultation with the offshore wind industry, eligible entities, including eligible entities that are community colleges, State and local governments, labor organizations, and nonprofit organizations, shall identify the educational and career training needs of such industry, including needs related to construction and installation, engineering, manufacturing, operation, and maintenance activities relevant to the offshore wind industry.

(j) *GUIDELINES.*—Not later than 240 days after the date of the enactment of this section, the Secretary shall—

(1) promulgate guidelines for the submission of grant proposals under this section, including a list of the educational and career training needs identified under subsection (i); and

(2) publish and maintain such guidelines on a public website of the Secretary.

(k) *REPORTING REQUIREMENT.*—Not later than 18 months after the date of the enactment of this section, and every 2 years thereafter, the Secretary shall submit a report to the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, the Committee on Education and Labor of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate on the grant program established by this section. The report shall include a description of the grantees and the activities for which grantees used a grant awarded under this section.

(l) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated for purposes of this section \$25,000,000 for each of fiscal years 2020 through 2024.

(m) *DEFINITIONS.*—In this section:

(1) *COMMUNITY COLLEGE.*—The term “community college” has the meaning given the term “junior or community college” in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).

(2) *ELIGIBLE ENTITY.*—The term “eligible entity” means an entity that is—

(A) an institution of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(B) a labor organization.

(3) *GRANTEE.*—The term “grantee” means an eligible entity that has received a grant under this section.

(4) *LEAD APPLICANT.*—The term “lead applicant” means the eligible entity that is primarily responsible for the preparation, conduct, and administration of the project for which the grant was awarded.

(5) *SECRETARY.*—The term “Secretary” means the Secretary of the Interior, in consultation with the Secretary of Energy, the Secretary of Education, and the Secretary of Labor.

COMMITTEE CORRESPONDENCE



COMMITTEE ON
EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

December 16, 2020

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The Honorable Raúl M. Grijalva
Chairman
Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Grijalva:

I write concerning H.R. 3068, the *Offshore Wind Jobs and Opportunity Act*. This bill was primarily referred to the Committee on Natural Resources, and additionally to the Committee on Education and Labor. As a result of Leadership and the Committee on Natural Resources having consulted with me concerning this bill generally, I agree to forgo formal consideration of the bill so the bill may proceed expeditiously to the House floor.

The Committee on Education and Labor takes this action with our mutual understanding that by forgoing formal consideration of H.R. 3068, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so we may address any remaining issues within our Rule X jurisdiction.

Specifically, I appreciate you having worked with me on making changes to the text of the bill as it moved with H.R. 2, the *Moving Forward Act* this Congress. Should the text move again this Congress, I would appreciate those same changes being included.

I also request that you support my request to name members of the Committee on Education and Labor to any conference committee to consider such provisions.

Finally, I would appreciate a response confirming this understanding and ask that a copy of our exchange of letters on this matter be included in the committee report for H.R. 3068 and in the *Congressional Record* during floor consideration thereof.

Sincerely,



Robert C. "Bobby" Scott
Chairman

cc: The Honorable Virginia Foxx, Ranking Member, Committee on Education and Labor
The Honorable Rob Bishop, Ranking Member, Committee on Natural Resources
The Honorable Nancy Pelosi, Speaker
The Honorable Steny Hoyer, Majority Leader
The Honorable Jason Smith, Parliamentarian

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

ROB BISHOP OF UTAH
RANKING REPUBLICAN

PARISH BRADEN
REPUBLICAN STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

December 16, 2020

The Honorable Bobby Scott
Chair
Committee on Education and Labor
U.S. House of Representatives
2176 Rayburn House Office Building
Washington, D.C. 20515

Dear Chair Scott:

I write to acknowledge your letter dated December 16, 2020 acknowledging that the Committee on Education and Labor will forgo formal consideration of H.R. 3068 the "Offshore Wind Jobs and Opportunity Act."

The Committee on Natural Resources confirms our mutual understanding that your Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation. Additionally, the Committee on Natural Resources confirms our mutual understanding that the Committee on Education and Labor will be appropriately consulted and involved as the bill or similar legislation moves forward so that you may address any remaining issues within your Rule X jurisdiction, including the changes made to this bill for its inclusion in H.R. 2 earlier this Congress. I am pleased to support your request to name members of the Committee on Education and Labor to any conference committee to consider such provisions.

I will ensure that this exchange of letters is included in the *Congressional Record* as part of the committee report for H.R. 3068. I appreciate your cooperation regarding this legislation and look forward to working with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Cc: The Honorable Rob Bishop, Ranking Member Committee on Natural Resources
The Honorable Virginia Foxx, Ranking Member Committee on Education and Labor
The Honorable Nancy Pelosi, Speaker
The Honorable Steny Hoyer, Majority Leader
The Honorable Jason Smith, Parliamentarian

<http://naturalresources.house.gov>

DISSENTING VIEWS

H.R. 3068 establishes an offshore wind career training and grant program, administered by the Department of the Interior, funded at a level of \$25 million annually for five years. Eligible entities are limited to institutions of higher learning and labor unions. While the purpose of this legislation is ostensibly to help incentivize offshore wind energy development, the training program created by this bill is a costly, ineffective way to achieve that goal.

In recent decades, wind energy technology has begun to move offshore, capturing some of the most powerful and consistent wind streams. While wind is a viable source of renewable energy, with an estimated 2,000 gigawatts potential power existing offshore, the offshore wind industry is still developing in the U.S.¹

Committee Republicans are supportive of an all-of-the-above energy strategy, and the potential for federal revenues and job growth in the offshore wind energy sphere are promising. However, H.R. 3068 raises a few points of concern. Offshore wind is still a relatively new industry, particularly in the United States. And like many industries in the renewable sector, offshore wind already benefits from federal and State subsidies and tax credits for which the American people must foot the bill.² According to the Joint Committee on Taxation, the wind production tax credit (PTC) and investment tax credit (ITC) will cost taxpayers roughly \$5 billion per year through 2022.³

In addition, there are almost 200 training programs in existence for wind industry jobs throughout the U.S.⁴ The proposed legislation would add an additional \$25 million grant program to the offshore wind energy industry, specifically to fund job training activities, without an offset or matching requirement for grant recipients. While employment opportunities are always worthy of support, it stands to reason that the growing offshore wind industry would naturally incentivize and fund job training in the private sector. This legislation underscores the fact that mandates for renewables to provide a larger share of our power supply are not possible without massive federal subsidies.

Further, the Department of the Interior is not the appropriate agency to implement this proposed program, as the Department does not specialize in or have significant experience with job training programs. Rather, the Department of Labor, in consultation with the Departments of Energy, Education, and Interior, would be

¹American Wind Energy Association webpage. "America's New Ocean Energy Resources." <https://www.awea.org/policy-and-issues/u-s-offshore-wind>.

²US Department of Energy. "Advancing the Growth of the U.S. Wind Industry." March 2018. https://www.energy.gov/sites/prod/files/2018/03/f49/eere_wind_funding_fs_2018_0.pdf.

³Estimates of Federal Tax Expenditures for Fiscal Years 2018–2022. Joint Committee on Taxation. <https://www.jct.gov/publications.html?id=5148&func=startdown>.

⁴WINDEXchange. Office of Energy Efficiency and Renewable Energy. US Department of Energy. <https://windexchange.energy.gov/training>.

a more appropriate shepherd for any job training program in the energy sector. Additionally, should Congress take action to incentivize job training, such efforts should promote job training across all energy industries. U.S. energy operators are constantly innovating and developing new technologies to improve safety, efficiency, and environmental safeguards and having new and existing workers exposed to these innovations would be beneficial. Moreover, such an approach would be consistent with an all of the above energy strategy.

If we are to see real increases in the production of offshore wind energy in the United States, meaningful improvement needs to be made to the federal permitting process. Lengthy, expensive delays in leasing and permitting make energy development on federally-owned lands and waters—including renewable development—much less attractive than operating on State or private lands. Meaningful reform of the National Environmental Policy Act, the Endangered Species Act, the Migratory Bird Treaty Act, and other laws and their implementing regulations would help streamline the process for developers, avoiding money spent on duplicative environmental reviews which could be put into training their future workforce.

For these reasons, we oppose H.R. 3068 as ordered reported.

ROB BISHOP.
LOUIE GOHMERT.
TOM MCCLINTOCK.

